

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

*Plaintiff,*

**1:13-cv-01735 (GBD)**

**v.**

**CARRILLO HUETTEL LLP, ET AL.,**

*Defendants,*

**DECLARATION OF JOSHUA M. NEWVILLE IN SUPPORT OF  
PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S  
APPLICATION FOR A CERTIFICATE OF DEFAULT**

I, JOSHUA M. NEWVILLE, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am a member of the bar of this Court and an attorney for Plaintiff Securities and Exchange Commission (the "Commission"). I make this Declaration in support of the Commission's application for a certificate of default pursuant to Fed. R. C. P. 55(a) against defendants Pacific Blue Energy Corp. ("Pacific Blue") and Tradeshow Marketing Company Ltd. ("Tradeshow").

2. I make this Declaration based on first hand knowledge, information and belief. The sources of my information and the basis of my belief are documents and records obtained and reviewed by me.

3. The Commission commenced this action on March 15, 2013, by filing the complaint and a summons for each defendant.

### **Pacific Blue**

4. On March 18, 2013, Commission staff sent a copy of the complaint, along with a notice of the lawsuit and a request to waive service of the summons, addressed to Joel Franklin, President of Pacific Blue Energy Corp, by UPS to Pacific Blue's registered agent, with a copy to Mr. Franklin's attorney by email. A copy of the waiver request is attached as **Ex. 1** hereto.

5. On March 21, 2013, Mr. Franklin sent Pacific Blue's signed waiver of service certificate, to the Commission staff by email through his counsel, attached as **Ex. 2** hereto. Mr. Franklin's counsel confirmed that Mr. Franklin intended to sign the document in his capacity as CEO of Pacific Blue, and with counsel's consent, I made a notation "as CEO on behalf of Pacific Blue Energy Corp." on the waiver form. Email correspondence reflecting this consent is attached as **Ex. 3** hereto.

6. On April 18, 2013, the Commission filed Pacific Blue's signed waiver of the service of summons, Dkt #20, attached as **Ex. 4** hereto.

7. Pacific Blue is not an infant, in the military, or an incompetent person.

8. Pacific Blue has not answered or otherwise moved with respect to the complaint, and the time for Pacific Blue to do so has expired and has not been extended.

### **Tradeshow**

9. On March 18, 2013, Commission staff sent a copy of the complaint, along with a notice of the lawsuit and a request to waive service of the summons, addressed to Luniel de Beer, President of Tradeshow Marketing Company Ltd., by UPS to Tradeshow's last known business address (de Beer's home address), and with a copy to Mr. de Beer's attorney by email. A copy of the waiver request is attached as **Ex. 5** hereto. The waiver was not returned to Commission staff.

10. On April 27, 2013, the Commission served the Summons and Complaint on Tradeshow by personally delivering the Summons and Complaint into the hands of Mr. de Beer, Tradeshow's President, at his home address.

11. On June 18, 2013, the Commission filed an affidavit of service, Dkt #54, attached as **Ex. 6** hereto, proving service on defendant Tradeshow, by service on Tradeshow's President Luniel de Beer.

12. Tradeshow is not an infant, in the military, or an incompetent person.

13. Tradeshow has not answered or otherwise moved with respect to the complaint, and the time for Tradeshow to do so has expired and has not been extended.

Dated: December 10, 2013

By: \_\_\_\_\_ /s/  
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